



Attorney Docket No. 26589U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ, et al.

Serial No. 10/524,820

Examiner: DESAI, R.

Filed: February 18, 2005

Group Art Unit: 1625

Title: **3-HYDROXY-6-PHENYLPHENANTHRIDINES AS PDE-4 INHIBITORS**

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

02/21/2008 NNGUYEN1 00000056 10524820

WI FC:1014

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The owner, NYCOMED GmbH, of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of co-pending U.S. Application No. 10/524,819. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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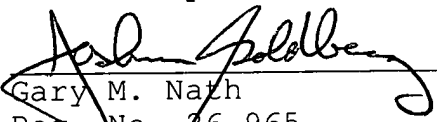
Check either box 1 or 2 below, if appropriate.

1.        For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. XX The undersigned is an attorney of record.

February 20, 2008  
Date

  
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xx Terminal Disclaimer fee under 37 CFR 1.20(d) included.  
xx PTO suggested wording from terminal disclaimer was  
xx unchanged        changed  
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